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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,432	12/18/2001	Harry Kargman	KAQ-003	3451
959	7590	10/18/2004	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			RAMPURIA, SATISH	
			ART UNIT	PAPER NUMBER
			2124	

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/024,432	Applicant(s) KARGMAN ET AL.	
	Examiner Satish S. Rampuria	Art Unit 2124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/10/2002</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the application filed on 12/18/2001.
2. Claims 1-22 are pending.

Information Disclosure Statement

3. An initialed and dated copy of Applicant's IDS form 1449 filed on 10/10/2002 is attached to the instant Office action.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 16, 17, 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,848,415 to Guck (hereinafter called Guck).

Per claims 1 and 16:

Guck disclose:

- In a network having an electronic device (fig. 1 and related discussion), a method, comprising the steps of:
- providing content (col. 4, lines 25-27 "Any document... have "content" is stored... database as a resource object"), said content capable of being displayed to a user of a

mobile device interfaced with said network (col. 6, lines 11-14 “The network 40 has communication connections to the client 10, the client 20, the client 30 and the client 33, each of which involves different communication protocols”); and

- receiving a request for said content from a user of a mobile device interfaced with said network (col. 4, lines 46-47 “database to set up a requested document in the format appropriate to the User-requester”);
- retrieving said device information from said at least one registry (col. 4, lines 39-40 “dynamically modify its characteristics to... formatting requirements requested by the User and/or formatting requirements required by the protocol being used”);
- converting said content from a generic markup language into device-specific content in response to said request (col. 4, lines 40-42 “A document... dynamically converted into a wide range of formats”), said converting using said device information, said generic markup language capable of translating content written in said generic markup language into multiple programming languages (col. 4, lines 63-65 “The dynamic conversion technique works equally well for conversion from one resource type to another and/or from one content format to another”).

Although, Guck teach provide the content converter to any device. Guck is silent on providing the registry information for the device. However, this feature deemed to be inherent to the Guck system, Guck system shows converting the content for any device in any format, col. 4, lines 33-39. Guck system would in inoperative if the converted format is not compatible with client device.

Per claims 2, 3, and 12:

Guck disclose:

- translating said content from an original programming language into said generic markup language prior to converting said content into device-specific content (col. 4, lines 55-58 “if the document... requested... is not immediately transferable, the server automatically... utilizes a converter object which transforms the document's content to a format compatible with the request”).

Per claims 4 and 11:

Guck disclose:

- providing a translator capable of converting HTML content into said generic markup language content; and translating HTML formatted content into said generic markup language content using said HTML translator (col. 4, lines 67 “converter could convert a plain text file to an HTML file”, also, fig. 3, and related discussion).

Per claims 5 and 6:

Guck disclose:

- marking the generic markup language content with identifiers (col. 8, line 24 “a message document will be assigned a unique “message id””); and
- performing the retrieving of device information from said at least one registry based on one of said identifiers marking said content (col. 8, lines 27-30 “The Resource object

created on behalf of the document is assigned "properties" that represent the document's content and identity").

Per claims 7, 8, and 17:

Guck disclose:

- providing a set of rules regarding the translating of said content from said generic markup language into device-specific content (col. 4, lines 37-38 "dynamically modify its characteristics to accommodate formatting requirements requested by the User"); and
- applying said rules in combination with said information from said at least one registry to generate device-specific content (col. 4, lines 39-40 "formatting requirements required by the protocol being used").

Claims 21 and 22 are the computer program product claim corresponding to method claims 1 and 8 respectively, and rejected under the same rationale set forth in connection with the rejection of claims 1 and 8 respectively, above.

Substantially as claimed.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a

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whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 9, 10, 13, 14, 15, 18, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of US Publication No. 2001/0039578 to Tokumaru et al. (hereinafter called Tokumaru).

Per claims 9 and 18:

The rejection of claim 8 is incorporated, and further, Guck does not explicitly disclose wherein the at least one user preference is at least one of user interface choices, key mappings, key behavior, functionality, amount of information to be rendered, language, and location.

However, Tokumaru discloses in an analogous computer system the at least one user preference is at least one of user interface choices, key mappings, key behavior, functionality, amount of information to be rendered, language, and location (page 1, paragraph 13 “management information in response to a request from the terminal device” page 1, paragraph 19 “management information generating means generates a session ID as a part of the management information whenever the terminal device accesses thereto”).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of user preferences of users’ choice as taught by Tokumaru into the method of converting the text the for the target device as taught by Guck. The modification would be obvious because of one of ordinary skill in the art would be motivated to have user preferences of users’ choice to not to provide display restrictions by the server to each device as suggested by Tokumaru (page 1, paragraph 8).

Per claim 10:

The rejection of claim 1 is incorporated, and further, Guck does not explicitly disclose providing a plurality of stylesheets for said generic markup language; using said stylesheets in converting said content in said generic markup language into said device-specific content.

However, Tokumaru discloses in an analogous computer system providing a plurality of stylesheets for said generic markup language; using said stylesheets in converting said content in said generic markup language into said device-specific content (page 4, paragraph 93 provide a style sheet for data each written in HTML and HDML respectively when the display format of these data other than the standard format is desired” and page 4, paragraph 92 “This also facilitates a processing which converts content written in the basic language into that written in a display language for a terminal device”).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of using stylesheets to convert the content for the desired device as taught by Tokumaru into the method of converting the text the for the target device as taught by Guck. The modification would be obvious because of one of ordinary skill in the art would be motivated to use the stylesheets to convert the content to desired devices to not providing servers for each of the devices corresponding to display restrictions of the devices as suggested by Tokumaru (page 1, paragraph 8).

Per claim 13:

The rejection of claim 1 is incorporated, and further, Guck does not explicitly disclose wherein at least one of said stylesheets converts said generic markup language content into HDML content.

However, Tokumaru discloses in an analogous computer system wherein at least one of said stylesheets converts said generic markup language content into HDML content (page 4, paragraph 93 “provide a style sheet for data each written in HTML and HDML respectively” and page 4, paragraph 94 “a style sheet just for the HTML data is provided therefor, the standard display format is employed on the HDML data during conversion”).

The feature of using stylesheet to convert content into HDML content would be obvious for the reasons set forth in the rejection of claim 10.

Per claim 14:

The rejection of claim 1 is incorporated, and further, Guck does not explicitly disclose wherein at least one of said stylesheets converts said generic markup language content into i-mode content.

However, Tokumaru discloses in an analogous computer system wherein at least one of said stylesheets converts said generic markup language content into i-mode content (page 8, paragraph 163 “The content is transmitted as it is when an access is made by the i-mode terminal... a common content between the i-mode terminal 4 and the PHS terminal 8 can be provided both of them”).

The feature of converting the content into the i-mode content would be obvious for the reasons set forth in the rejection of claim 10.

Per claim 15:

The rejection of claim 1 is incorporated, and further, Guck does not explicitly disclose wherein the amount of said device-specific content that is delivered to said user is based on the display capacity of said mobile device.

However, Tokumaru discloses in an analogous computer system the amount of said device-specific content that is delivered to said user is based on the display capacity of said mobile device (page 2, paragraph 27 “the terminal identifying means identifies a size of content which can be stored temporarily at the terminal device for its display as well”).

The feature of displaying the content within the capacity of the device would be obvious for the reasons set forth in the rejection of claim 10.

Per claims 19 and 20:

The rejection of claim 16 is incorporated, and further, Guck does not explicitly disclose wherein said wireless device is a cellular phone, wherein said wireless device is a PDA.

However, Tokumaru discloses in an analogous computer system wherein said wireless device is a cellular phone (page 3, paragraph 81 “mobile phones 4, 6, and 8 are respectively accessible to the content server 30 via protocol converting devices 42 and 44 (see FIG. 2b) in the forms of “i-mode cellular phone system””), wherein said wireless device is a PDA (page 3, paragraph 82 “terminal devices (a PC 1 equips just e-mail, PHS terminal 8, and a terminal 10 for personal computer communications service)”).

The feature of using devices such as cellular phone and PDA would be obvious for the reasons set forth in the rejection of claim 10.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Satish S. Rampuria** whose telephone number is **703-305-8891**.

The examiner can normally be reached on **8:30 am to 5:00 pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Kakali Chaki** can be reached on **(703) 305-9662**. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Patent Examiner
Art Unit 2124
10/04/2004


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